

A Manuell,
OR
A Justice of Peace
His
Vade-mecum.

A Table containing the substance of
all Statutes whereby one or more Ju-
stices are enabled and authorized to
order matters out of the Sessions
of the Peace.

Proverbs. 7. 23.

A wicked man taketh a gift out of the
bosome to wrest the ways of judgement.

Proverbs. 17. 15.

He that justifieth the wicked, and be-
that condemneth the just: even they both
are abomination to the Lord.

Proverbs. 17. 17.

O The judgement is Gods.

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I



Præcognita to this Table.

*Statutes to be proclaimed at the
quarter-Sessions.*

Statute of Winchester, by the Sheriff four times, 7 E. 2. 6.

Statute 36 E. 3. 23. concerning Purveyors.

Statute Anno 33 H. 8. concerning unlawful games.

Statute Anno 5 Eliz. 1. against extolling of the Pope and See of Rome.

Statute Anno 4 H. 7. 12. A Proclamation concerning counterfeiting of coyn, murder, robberies, retainers, id est esse, unlawful games, election of Sheriffs, &c.

To be read in the Church.

Statute 21. Jas. 20. concerning swearing.
Vide Crompt. Jurisdict. fol. 16. 2.

1 One Justice of peace alone cannot make any Inquisition, unlesse power be given *Stat. M 2. E. 4. 18.*

2 Where the matter is to be tryed by witness it seemeth that two witnesses are requisite, but where the tryal is by a Iury of twelve men there one witness sufficeth, yea there may sometimes no witnesses be requisite, *Dalton 12. Plowden 12. a.*

3 In all cases where the offence is found upon inquiry, those Justices have power to make process against the offenders untill they have paid the fine, and to deliver them upon payment of it, or upon sureties given for it, otherwise the Justices may not receive the traverse of the offenders, *Dalton 127.*

4 This manner of tryall by examination of offenders or witnesses is not permitted unto Justices, but only in case where either the Statutes do generally refer the tryall to their discretion, or else do especially authorise them to take examinations, *Dalton 10. 126.*

5 In all cases where the Justices of peace shall hear or determine or punish offenders upon their own confession or witnesses, there the Justices may grant out their warrants against the offenders to appeare before them to answer for their offences, and may thereupon proceed to determine the offence, *Dalton 127.*

6 A Justice of peace cannot bind over an offender

offender against a penall law to answer his fault, *Lamb.* 187 but he must be first indicted, *Lamb.* 188. *Stat.* 1. *E 6.1.*

7 An Infant is bound by every Statute-law if he be not excepted in the act. Therfore fines and gaol fees bar not them, *Quia tiels sunt except per le Stat.* *Dyer* 104.

8 Wherfore the Iustice of peace hath power given him by any Statute to bind over any man or to caule a man to do any thing, and if such person being in his presence shall retule to be bound or to do such thing, it seemeth such Iustice may send such person to the Goal there to remain untill he shall perform the same, *Dale* 107.

9 All the Articles within the Commission of the peace are both enquirable and determinable at any speciall Sessions indifferently without adding generall or speciall. *Lam* 624.

10 This word King doth include his Successors, for the King doth not dye in respect of his politicke body, *Co. lib. 6 fol. 27. Cases of* *Souldiers.*

11 Whereas some Statutes do inable Iustices of peace to heare and determine by the generall word *Examination*, without shewing of what person, it seemeth that they may examine the parties as other witnesses,

4.

Lamb, §35, §36. And these examinations ought always to be upon oath, because the triall thereof dependeth upon them.

Lamb, §36.

Innekeepers

X

Innekeepers, Ale-house-keepers, or Victuallers, selling less than a quart for a penny.

Stat. I. 3 &c. 9.

Five shillings to be levied by distress and sale after 6. days, and for want of distress to be committed, &c. and disabled to keep any Alehouse by Stat. 23. Jac. 7. If the Constable shall not levy this penalty, or shall not certify the warrant of distress within 20 days, to forfeit fourty shillings.

One witness or view.

2

Innekeepers, Ale-house-keepers or Victuallers, suffering any of the same parish to continue tippling in their houses.

1. Jac. 9. 21. Jac. 7.

One witness or view.

Ten shillings to be levied by distress, *ut supra*, disabled, *ut supra*.

Constable neglecting, to be punished, *ut supra*.

A 4

3. If

If any Inn-keeper,
Vintualler or Taver-
ner, suffer any where
soever his habitation
be, to continue tipling
in his house,
1. Jac. 9. 10. 1. Car. 4.
To tiple.

Two witnessses, or
view,

Drunkards.

4. Jac. 5.

One witnessse, or
view.

Townesmen tip-
pling in any Alchouse

Ten shillings to be
levied by distresse, and
for want of satisfac-
tion within six days to
be sold, restoring the
overplus : And for
want of distresse to be
committed until pay-
ment.

Five shillings to the
poore to be levied by
distresse, and for want
of distres to sit in the
stocks six houres, to
be bound intenpound
for his good behavi-
our: If the Constable
levy it not, he forfeits
tenne shillings to the
poore.

Three shillings to
be levied by distresse

Justice.

Penalty.

7

or Victualling house,
4. Jac. 5.

&c. or to sit in stocks
for 4 hours, and the
Alehouse keeper dis-
abled for three years,
23. Jac. 7.

One witness or
view.

6

Finding any flesh
dressed in any victual-
ling house in time of
Lent.

Seise it and give it
to the poore.

1. Jac. 29.

Vpon view.

7

Offenders in for-
cible entries, 5. R. 2. 7.
15. R. 2. 2. 8. H. 6. 9. 31
Eliz. 11. 21. Jac. 18.

Imprison and fine
them, remove the
force, and deliver
them upon pledges
for the fine.

Vpon view only.

8

Make restitution of
possession unto te-
nants for term of years
by copy of Court
rol, &c. In case of for-
cible entries. 21. Jac. 15.

§ Inquire

8. *Justitie.*

Penalty.

Such as meet and assemble out of their own parish on the Lord's day for any

penalty of twenty shillings.

9.

Inquire of Scherif's defaults in not returning sufficient Jurors to inquire of forcible entries, 3. H. 6. 9.

Fine twenty pounds.

By Indictment.

10.

Keepers of Play-houses and unlawfull games, 33. H. 8. 9.

Vpon view.

11.

Such as play in such houses, 33. H. 8. 9.

Vpon view.

12.

Players at unlawful games, 33. H. 9.

13.

Such as meet and assemble out of their own parish on the Lord's day for any

Imprisonment until he be bound to play no more.

Imprisonment, as before.

Three shillings four pence to the poore of the parish where the offence, spot

sport whatsoever, or
in their own parish,
1. Car. 18.

One witnesse or
new, 8.

14

Certifie the names
of such as absent the-
selves from Church
one yeare into the
Kings Bench, 17. Eliz.

15

Such as go not to
Church upon Sun-
dayes and holy days.
1. Eliz. 2. 3. Jac. 4.

One witnesse.

16

Such as disturb any
Preacher allowed, in
his Sermon &c. 1. Mar.
Sess. 2. c. 3. or relue
any offender.

Or to be levied by di-
stresse, or else to sit in
the stocks 3 hours,
and to be questioned
within a month after
the offence done.

To be bound in the
Kings Bench in two
hundred pound: and
quare if he refuse to
go to Church a yeare
after, if he forfeit not
his bond, Dalt. 163.
126.

Twelve pence for
every fault, and for
want of distresse to
bee committed till
payment.

If he be found guil-
ty upon examination
within six days to be
committed for three
months.

Two.

To Justice.

Penalty.

Two witnesses or
confession.

17

A Justice of peace
must within 14 dayes
after the discovery of
any *Agnes Dei*, crosses
&c. declare the same
to some of the privy
Counsel. 13. *Eliz. 2.*

Primumire.

18

Take the submission
of any Jesuite or Priest
in writing, within 3
dayes of his landing,
and give him the oath
of Supremacy, 27. *E-
lis 2.*

And certifie the
oath and submission
into the Chancery,
upon paine of an hun-
dred pound within 3.
months.

19

Require any sedi-
tious Sectary, if he
will not conform
within three mo-
neths after his convi-
ction, to conform ;
and in default there-

Felony if he shall
refuse to abjure, but
the abjuration must
be in open Sessions.

of

Justice.

of require him to abjure the Realm, 35.
Eliz. 1. 8.

20

Require any Popish Reculant above 16 yeares which travell without licence five miles from home, if he be not worth 20 marks free-hold per annum, or 40 pound in goods, to abjure.

31

Such as swear, proved within ten dayes, 21. Jac. 20. 8.

22

Command huy and cry after felons, Stat. March. Anno. 13. Eliz. 1. set witches between the Feast of

Penalty. 11

If he will not conform within 3. moneths, then require him to abjure, and certifie the abjuration at the next Assizes, and if he then refuse to abjure, it is felony without Clergy, Lam. 557.

Twelve pence to be levied, &c. or to sit in the stocks 3 hours; if under 12 years to be whipped by the Parents or Constable

To be fined upon Inquiry.

Taxes quare, for one Justice of peace cannot take any Ascen-

12 Justice.

Ascension and Michaelmas, *ibid.* cause high-wayes to be enlarged, *ibid.* choose two Constables in every Hundred, *ibid.* require Constables to present such as lodge any strangers in upland towns, for whom they will not answer, *ibid.* But *quære* if they shal receive them to house before nine of the clock.

23

To inform some of the Privy Counsell within twenty eight dayes after discovery of any Jesuites, &c. and to take a note thereof under their hand, *27. Eliz. 2.*

24
If any above eighteen years stand presented or indicted

Penalty.

quisition where power is not given him by Statute as the book is, *17. E. 4 fol. 16.*

24

Two hundred marks.

Require him to take the oath of Allegiance, if he refuse, for

Justice.

for not coming to Church, or if the Minister, &c. shall complain of any suspicion.

1. *Act 5.* *Section 10.*

2. *Section 25.* *Section 10.*

Many suspected to be a Jew or Priest refuse to answer whether he be or not, *35. Eliz. 2.*

3. *Section 26.* *Section 10.*

To take information of him which shall give notice of Malice to be said, within three dayes for the offence, *3. Eliz. 5.*

4. *Section 27.* *Section 10.*

Penalties for killing and, *3. Eliz. 2.* *Section 25.*

5. *Section 28.* *Section 10.*

Upon view, *2. Eliz. 3.*

Penalty.

1. *Section 29.* *Section 10.*

commit him uppon the next Sessions of Assizes.

2. *Section 30.* *Section 10.*

3. *Section 31.* *Section 10.*

4. *Section 32.* *Section 10.*

5. *Section 33.* *Section 10.*

6. *Section 34.* *Section 10.*

7. *Section 35.* *Section 10.*

8. *Section 36.* *Section 10.*

To be committed without bail till he answer directly.

9. *Section 37.* *Section 10.*

10. *Section 38.* *Section 10.*

11. *Section 39.* *Section 10.*

12. *Section 40.* *Section 10.*

13. *Section 41.* *Section 10.*

14. *Section 42.* *Section 10.*

15. *Section 43.* *Section 10.*

16. *Section 44.* *Section 10.*

17. *Section 45.* *Section 10.*

18. *Section 46.* *Section 10.*

19. *Section 47.* *Section 10.*

20. *Section 48.* *Section 10.*

21. *Section 49.* *Section 10.*

22. *Section 50.* *Section 10.*

23. *Section 51.* *Section 10.*

24. *Section 52.* *Section 10.*

25. *Section 53.* *Section 10.*

26. *Section 54.* *Section 10.*

27. *Section 55.* *Section 10.*

28. *Section 56.* *Section 10.*

29. *Section 57.* *Section 10.*

30. *Section 58.* *Section 10.*

31. *Section 59.* *Section 10.*

32. *Section 60.* *Section 10.*

33. *Section 61.* *Section 10.*

34. *Section 62.* *Section 10.*

35. *Section 63.* *Section 10.*

36. *Section 64.* *Section 10.*

37. *Section 65.* *Section 10.*

38. *Section 66.* *Section 10.*

39. *Section 67.* *Section 10.*

40. *Section 68.* *Section 10.*

41. *Section 69.* *Section 10.*

42. *Section 70.* *Section 10.*

43. *Section 71.* *Section 10.*

44. *Section 72.* *Section 10.*

45. *Section 73.* *Section 10.*

46. *Section 74.* *Section 10.*

47. *Section 75.* *Section 10.*

48. *Section 76.* *Section 10.*

49. *Section 77.* *Section 10.*

50. *Section 78.* *Section 10.*

51. *Section 79.* *Section 10.*

52. *Section 80.* *Section 10.*

53. *Section 81.* *Section 10.*

54. *Section 82.* *Section 10.*

55. *Section 83.* *Section 10.*

56. *Section 84.* *Section 10.*

57. *Section 85.* *Section 10.*

58. *Section 86.* *Section 10.*

59. *Section 87.* *Section 10.*

60. *Section 88.* *Section 10.*

61. *Section 89.* *Section 10.*

62. *Section 90.* *Section 10.*

63. *Section 91.* *Section 10.*

64. *Section 92.* *Section 10.*

65. *Section 93.* *Section 10.*

66. *Section 94.* *Section 10.*

67. *Section 95.* *Section 10.*

68. *Section 96.* *Section 10.*

69. *Section 97.* *Section 10.*

70. *Section 98.* *Section 10.*

71. *Section 99.* *Section 10.*

72. *Section 100.* *Section 10.*

73. *Section 101.* *Section 10.*

74. *Section 102.* *Section 10.*

75. *Section 103.* *Section 10.*

76. *Section 104.* *Section 10.*

77. *Section 105.* *Section 10.*

78. *Section 106.* *Section 10.*

79. *Section 107.* *Section 10.*

80. *Section 108.* *Section 10.*

81. *Section 109.* *Section 10.*

82. *Section 110.* *Section 10.*

83. *Section 111.* *Section 10.*

84. *Section 112.* *Section 10.*

85. *Section 113.* *Section 10.*

86. *Section 114.* *Section 10.*

87. *Section 115.* *Section 10.*

88. *Section 116.* *Section 10.*

89. *Section 117.* *Section 10.*

90. *Section 118.* *Section 10.*

91. *Section 119.* *Section 10.*

92. *Section 120.* *Section 10.*

93. *Section 121.* *Section 10.*

94. *Section 122.* *Section 10.*

95. *Section 123.* *Section 10.*

96. *Section 124.* *Section 10.*

97. *Section 125.* *Section 10.*

98. *Section 126.* *Section 10.*

99. *Section 127.* *Section 10.*

100. *Section 128.* *Section 10.*

101. *Section 129.* *Section 10.*

102. *Section 130.* *Section 10.*

103. *Section 131.* *Section 10.*

104. *Section 132.* *Section 10.*

105. *Section 133.* *Section 10.*

106. *Section 134.* *Section 10.*

107. *Section 135.* *Section 10.*

108. *Section 136.* *Section 10.*

109. *Section 137.* *Section 10.*

110. *Section 138.* *Section 10.*

111. *Section 139.* *Section 10.*

112. *Section 140.* *Section 10.*

113. *Section 141.* *Section 10.*

114. *Section 142.* *Section 10.*

115. *Section 143.* *Section 10.*

116. *Section 144.* *Section 10.*

117. *Section 145.* *Section 10.*

118. *Section 146.* *Section 10.*

119. *Section 147.* *Section 10.*

120. *Section 148.* *Section 10.*

121. *Section 149.* *Section 10.*

122. *Section 150.* *Section 10.*

123. *Section 151.* *Section 10.*

124. *Section 152.* *Section 10.*

125. *Section 153.* *Section 10.*

126. *Section 154.* *Section 10.*

127. *Section 155.* *Section 10.*

128. *Section 156.* *Section 10.*

129. *Section 157.* *Section 10.*

130. *Section 158.* *Section 10.*

131. *Section 159.* *Section 10.*

132. *Section 160.* *Section 10.*

133. *Section 161.* *Section 10.*

134. *Section 162.* *Section 10.*

135. *Section 163.* *Section 10.*

136. *Section 164.* *Section 10.*

137. *Section 165.* *Section 10.*

138. *Section 166.* *Section 10.*

139. *Section 167.* *Section 10.*

140. *Section 168.* *Section 10.*

141. *Section 169.* *Section 10.*

142. *Section 170.* *Section 10.*

143. *Section 171.* *Section 10.*

144. *Section 172.* *Section 10.*

145. *Section 173.* *Section 10.*

146. *Section 174.* *Section 10.*

147. *Section 175.* *Section 10.*

148. *Section 176.* *Section 10.*

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151. *Section 179.* *Section 10.*

152. *Section 180.* *Section 10.*

153. *Section 181.* *Section 10.*

154. *Section 182.* *Section 10.*

155. *Section 183.* *Section 10.*

156. *Section 184.* *Section 10.*

157. *Section 185.* *Section 10.*

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171. *Section 199.* *Section 10.*

172. *Section 200.* *Section 10.*

173. *Section 201.* *Section 10.*

174. *Section 202.* *Section 10.*

175. *Section 203.* *Section 10.*

176. *Section 204.* *Section 10.*

177. *Section 205.* *Section 10.*

178. *Section 206.* *Section 10.*

179. *Section 207.* *Section 10.*

180. *Section 208.* *Section 10.*

181. *Section 209.* *Section 10.*

182. *Section 210.* *Section 10.*

183. *Section 211.* *Section 10.*

184. *Section 212.* *Section 10.*

185. *Section 213.* *Section 10.*

186. *Section 214.* *Section 10.*

187. *Section 215.* *Section 10.*

188. *Section 216.* *Section 10.*

189. *Section 217.* *Section 10.*

190. *Section 218.* *Section 10.*

191. *Section 219.* *Section 10.*

192. *Section 220.* *Section 10.*

193. *Section 221.* *Section 10.*

194. *Section 222.* *Section 10.*

195. *Section 223.* *Section 10.*

196. *Section 224.* *Section 10.*

197. *Section 225.* *Section 10.*

198. *Section 226.* *Section 10.*

199. *Section 227.* *Section 10.*

200. *Section 228.* *Section 10.*

201. *Section 229.* *Section 10.*

202. *Section 230.* *Section 10.*

24 Justice.

To wear a coat of
Mayle secretly, *Poult.*
de pac fol. 3 5-8.

Or to carry dags or
pistols, *Co. I 5 fol. 7* 1.
S. Johns Case.

28
Trespassours in
Orchards, Wood.
Corn, &c 43. *Eliz. 7.*
One witness.

29
Offenders in mak-
ing of tyle, 17. *E. 4. 5.*
By indictment or wit-
nessse as he pleaseth.

30
Having tenters for

Penalty.

Justices of peace
may command wea-
pons to be taken from
such as are brought
before them, *Dall. 30.*

Or may inquire or
prise their armour by
a jury, *Lam. 169, 171*
182.

To give satisfaction
or to be whipp'd.

For every hundred
of plain tyles, 5 shill-
ings

For every hundred
of root-tyles 6 shill-
ings eight pence.

For every hundred
of guner-tyle, 12
shillings.

A Justice of peace
Clerk 12.

Cloth, 39. Eliz. 20.
43. Eli. 10. & 4. Jac.
2. 21. Jac. 18. &.

or head Constable,
may upon view de-
face them, 43. Eliz.
He may sell them,
and give the money
to the poore.

31

NO Fair or Mar-
ket to bee kept in
Church or Church-
yard, Winchest. 13. E. 1

To bee fined in
Sessions.

32

Souldiers purloin-
ing horses, harness
or armour, 2. & 3.
E. 6. 2.

Commitment, un-
till hee make satis-
faction.

33

If any horse be stollen and found in open
Market, the owner and his Executours may
within six months after such horse is stol-
len, make claime before a Iustice of peace, so
as proofe be made 40 dayes after by 2 wittes
upon oath before such Iustice, and such
false taketh not away the property of the
horse, but the party may have his horse again
upon payment of so much as the party which
bought him shall depose he cost him, 31. Eliz.
2. 2.

34

Sheriffes for enter-
ting of more plaints
than of one for one
cause, or if the plain-
tiffe put not in securi-
ty to prosecute his a-
ction, 11. H.7. 15. By
examination of their
clarks and pleas.

Four shillings for
every plaint, and the
Iustice of peace must
certifie into the Ex-
chequer the exami-
nation upon paine of
fourty shillings.

Processe as in trespass.

35

Sheriffes Bailiffs, for
not warning the De-
fendant in County
Courts, 11. H.7. 17.

Bailiffes may bee
convicted upon their
examination.

Fourty shillings
for every offence :
Processe, *ut supra.*

36

Bailiffes gathering
the Sheriffes amerce-
ments before they
are examined by two
Iustices of the peace,
or if the Bailiffes be
not sworne, or shall
take more than is

Fourty shillings
for every offence :
Processe, *ut supra.*

estreated

estreated, 11. H. 7. 15.

Vpon view.

37

He that shooteth
at any thing at large,
except it be within 5.
miles of the sea, 33.
H. 8. 6.

Ten pound, and
imprisonment until
payment.

38

Persons suspected
to be robbers, and ta-
ken by the watch, 5.
E. 3. 14.

To be committed
untill the Assises, or
to be bound to their
good behaviour, 34.
E. 3. 2.

39

To put in overseers
and conservatours of
Rivers, and sweare
them.

40

Such as talke Sal-
mons between the
seventh of Septem-
ber and the eleventh
of November, or at
Mil-pools from mid-
Aprill to Midsum-

Burn the nets, im-
prison them a quarter
of a yeare.

18 Justice.

Penalty.

mer, Westm. 2. Anno 13
E. 1. 46: 13. R. 2. 2.

Vpon view or indictment by 17. R. 2.

9.

41

Such as use nets, by which the Fry of fish may be destroyed, 13. R. 2. 19.

Vpon view or inquiry by R. 2. 9.

42

Such as fish within five miles of the sea with any drawnet under three inches mesh and one inch and a halfe from knot to knot, 13. Jas. I. 2.

43

If a servant shall go out of a Towne to serve in another, without a testimoniall, 5. Eliz. 4.

Burnt the nets, ^{as} supra.

Forfeit the net, and ten shillings to be levied by distress.

Quere how to bee convict by witnessses, or in Sessions.

Imprisonment till he procure a testimoniall, which if he shall not within one and twenty dayes, he is to be punished as a vagrant.

44

If any be required to serve as an apprentice, and shall refuse, being betwixt sixteen and nineteen yeares old, 5. *Elis. 4.*

To be committed untill he will serve.

45

Cause Artificers and other persons able to labour, to work at hay and corn in harvest, 5. *Elis. 4.*

Imprisonment in stocks two dayes and a night by the Constable, upon pain of fourthy shillings to be recovered in Sessions.

46

Give licence under his hand and seale to any that will travell from one County to another for worke in lanning of Harvest-worke, 5. *Elis. 4.*

47

Allow the cause of putting away of any servant, but not of an apprentice, 5. *Elis. 4. Dalton, 60.*

B 3

48 Ex-

48

Examine such as take Pheasants and Partridges in the night, or hawk in eared corn, 23. E. 10.

Bind them over until the next Sessions, or commit them until they pay.

49

To take Recognition of such as take Pheasants with setting-dogs and nets, and return it next quarter Sessions, 7. Jas. 1. 1. 8.

50

Estreat into the Exchequer the forfeitures of such as are convicted before him for shooting in Crosb bow s and Guns, 33. H. 8. 6.

51

Certifie unto the Sessions the offenders presented unto him against the Statutes for amendment of high ways, 2. & 3.

Pb. & Mar. 8. 5. Eliz.

13. 18. Eliz. 9.

The Justice of peace forfeith five pound, the Churchwardens forty shill. if he certifies not the Justice.

52 Present

52

Present the Constable and Churchwardens to the quarter-Sessions, if they do not yearly the tuesday or wednesday in Easterweek call together the Parishioners, and choose Surveyers for the amendment of highways, &c.

Eliz. 13.

53

Every household-Cottager to work, or send some sufficient labourer to work every of the said dayes eight hours.

54

Hedges and ditch-
es next any high way
must be from time to
time diked and kept
low, and repaired by
the owners of the

And in the quarter Sessions to bee fined for their default or neglect.

To be fined in quarter Sessions upon presentment of any Justice, &c.

Present it at the quarter Sessions, where they are fined for it,

ground, 5. *Eliz.* 13.
Dalton, 52.

55

If any chosen to be
 a Surveyer shall refuse
 the execution of the
 Office, 5. *Eliz.* 13.

56

If Surveyers of
 high-wayes do not
 within one month
 present offences com-
 mitted against the
 Statute for amend-
 ment of high-wayes
 to the next Justice, 5.
Eliz. 13.

57

If the Bailiff or his
 high-Constable shall
 not levy amerce-
 cements, &c. for not
 mending high-wayes,
 and not make a true
 account or payment
 of summes levied to
 the Constable and

To present him at
 &c. *ut supra*.

To bee presented
 and fined, *ut supra*.

Present the same
 to the quarter-Sessi-
 ons.

Church-

Church wardens of the Parish, or if hee have not imployed the same upon the high-wayes of the Parish, 5. *Eliz.* 13.

58

Wandring rogues,
39. *E. 4.* 8.

To bee whipped and sent to the place of their birth, if the Constable do not punishe them, he forfeits ten shillings.

59

Suck as will not do their appointed work by the Overseers of the poore,
43. *Eliz.* 28.

Bridewell.

60

Such as refuse to beare the charge of their commitments to the Gaol, 3. *Jac.* 10. 8.

Levie it of their goods by distresse and sale.

61

Give testimoniall

If hee exceed the

of the landing of
Souldiers and Mari-
uers under his hand,
setting down the
place of his landing,
& the place to which
he is to passe, 39. Eliz.
4. 8. he may beg.

time limited in his
passe 14, or if he have
a forget passe know-
ing of the same, it is
felony, except he be
sick.

62

If no tax be made
for hospitality by the
Parishioners, Church
wardens, and Con-
stables, one Justice of
peace neare the place
may make it, 43. Eliz.
21. 8.

And levie it be
distresse, and for
want of distresse
commit the party no
paying without bail
untill, &c. If they
make any tax, they
may levie themselves
without any other
warrant.

63

The like order is to be taken concerning
the assessing for Souldiers and Mariners, 4 Eliz. 38.

64

In default of the
Church wardens and

Church wardens
may levie it without
the

the Parishioners towards the relief of the disabled Soldier, to tax the Parish for their relief till the next quarter-Sessions 43. Eliz. 3. 8. 17. 8.

65

Ioyn with the clarke of the peace in taking and inrolling deeds of bargain and sale, acknowledged before them within six months, 2. 7. H. 8. 16.

any warrant if they make a rate, else he must levie it himself.

Fees for land under fourty shillings per annum, two shill. viz one shilling to the Justice, and one shilling to the clarke: If above fourty shillings, five; two shillings six pence to the Justice, and two shill. six pence to the clarke.

66

Ioyn with the Customer in certifying of the unlading and selling of Corn and Cartell, and carried from the one place of the Realm to another, to the Custom where it was laden 5. E. 6. 14. 13. Eliz. 25.

67 Trans.

67

Transporters of Corn, Malt, Beer, Butter, Cheese, or Wood into any place beyond the Seas, 1. & 2. Ph. & Mar. By inquiry and examination of the Master & Mariners. See 21. Fa. 28. altered.

68

Examine the servants and workmen of Dyers upon oath, if they use any Log-wood, and bind them to the next Sessions, and bind over the examinants, 39. Eliz. II.

69

To take the examination of such as are brought before him for felony, man-

The owner of the Ship, forfeith his Ship knowing the same, 5. Eliz. 5. The owner of the Corn doth forfeit double the value: the Master and Mariners do forfeit their goods, and imprisonment one yeare.

Who upon conviction in the Sessions are to bee set on the Pillory, and fined 20 pound.

Fined by the Justices of the Gaol-delivery.

slaughter

sllaughter, or suspiſion
of the ſame, with the in-
hiſion of those
that bring him, and
Therto put the ſame in
writing, 2. & 3. Ph.
& Mar. 10.

70

Let to bail any im-
prisoned in the com-
mon Gaol, if it be
not for felony, or any
higher offence or
bail, forbidden by any
the ſpeciall Statute, 3. H.
7. Dalt. 33.

71

Such as are accused
for reporting false
news contrary to weſt.
1. cap. 34 & 2. R. 2. c. 5
within three months
after the offence com-
mitted, 1. & 2. Ph. &
Mar. Eliz, 2. ſee 250.
136

To be committed
to prison untill hee
ſhall bring forth his
Author: *quere*; for
the Act of Mar. was
repealed, ſo long
time as Queen Eliza-
beth lived, by Statute,
26. Eliz. 2.

72 Such

72

Such as shall advisedly publish any false Prophesie, *s. Eliz. 15. Dalt. 7.8* By inquiry.

Imprisonment of
yeare without baile
and to forfeit ten
pound.

73

If any deceitful
Mault be made to be
sold or mingled, 2. E
6. 10 8 27 E.6.14.21.
Fac. 28. Vpon view or
information.

The Constable may
sell it with the advise
of a Justice of peace;

74

If any shall misuse his servant, and will not be ordered by a Justice of peace, *s.e.* *lis.4.* *tit.11. c.6. s.1*

Take bond of his Master for his appearance at the next quarter-Sessions, and if hee refuse to bee bound, commis him:

79

247 Common-labou-
ters refusing to work
for such wages as are
taxed in Sessions, 39.
Eliz. 4.8. *Judges Reso-
lution 7.*

Rogues to be sent
to Bridewell.

The

*the power of two Justices of peace
out of Sessions.*

76

Clothiers and others refusing to pay wages assessed in the after Sessions, 1.

Quorum unus;
Two witnesses.

77

If any put in any wicks or thrums in broad Cloth, 21.

Two witnesses, or confession.

78

Appoint overseers Cloth in Towns corporate, and elsewhere, 3. E. 6. 2. Eliz. 20. 31. Eliz. 8.

Ten shillings to be levied by distress.

Five pound to be levied by distress, for want of distress to be committed.

If any refuse to be overseer, he forfeiteth 40 shil. and is to bee committed till payment; and if they do not search once every quarter, they forfeit ten pound by 3. E. 6. 2.

79 Charge

79

Charge Overseers
for cloth in Towns
not corporate upon
their oaths, and bind
them in recognizan-
ces of fourty pound
to do their indeavor
to discover thefraud,
39. Eliz. Dalton, 35.

80

Vpon complaint of
Overseers for cloth,
appointed to call by
Warrant any person
before them and to
examine them upon
oath for discovery of
any offence.

81

Carders, Weavers,
Sorters & Spinners,
imbeſiling weoll or
yarn, 7. Jac. 7.

One witness.

If any refuse to
bound or appear no
he forfeits 5 pound
and commitment &
payment : And if
ſlices of the peace
not appointin' Over-
seers, they forfeit.

Against 21. J.
18. 8.

Give satisfaction
or to be stocked &
whipped, and likewise
their receivers know-
ing the lame.

82 pgs

82

Persons restrained
from mauling, 39.
Eliz. 16. 8.

Two witnessc or
confession.

83

Takers of Phe-
asants, Partridges, &c.
7. Jac. 11. 8.

One witnessc.

84

Such as destroy
Pheasants, Partrid-
ges, &c. by gunnes,

Commitment three
dayes without bail,
and thenceforth till
he be bound in forty
pound by Recognition
to obey such
order of restraint.

After his convic-
tion before two Justic-
es of the peace, one
Justice may bind him
by Recognition in
twenty pound, not to
kill or destroy any
Pheasant or Par-
tridge thenceforth;
the punishment be-
ing commitment 3
monets, or to pay
twenty shillings for
every one.

Commitment 3
months, unless he
pay fowch with the
C boyres.

32 Justice.

bowes, &c. i. Jac. 27.
8.

Two witnesses, or
confession.

85

None may keep
any greyhound, or
dog to take Par-
tridges, unless he
have ten pound Inhe-
ritance, or thirty
pound per annum for
life, or goods worth
3 hundred pound, i.
Jac. 27.

86

Give warrants to
the Constables and
Tithing-men, to
search the houses of
persons suspected for
setting-dogs, and
nets, other then such
as have fourty pound
per annum, or four-

Penalty.

Church-wardens 20
shillings for every
Fowl, and enter Re-
cognizance in 20
pound after one
months commitment
to kill no more.

Imprisonment, *ut
supra*; or fourty shil-
lings to the poore.

Keep such as they
find to their own
use.

score pound lease ; or else are worth foure hundred pound in goods, 7. *Jac. 11.*

87

Such as hawk between the first of *July*, and last of *August*, 7. *Jac. 11.*

Two witnessess.

88

Such as use or have any gunns or bowes, or to kill Deer and Conies, or keep Hares, pursnerts Ferrets or Cony-dogs, unlesse they have 40 pound Inheritance per annum, or be worth two hundred pound in goods, or have warren or ground inclosed, the profit whereof is worth 40 shillings per annum, 3. *Jac. 13.*

Commitment 3 months, unlesse they pay 40 shillings for every hawking, and twenty shillings for every Pheasant, &c.

He that hath a 100 pound per annum, may take and keep them to his own use; other offences are to be punished in Sessions.

89

Defaults of Officers
touching weights and
measures, 11. H. 7. 4.

Quorum unus.

Inquiry or exami-
nation.

90

Set fines upon such
as shall buy and sell
with weights and
measures unsealed, 11
H. 7. 4.

Upon examination
or inquiry.

91

Such as disturb any
Preacher licensed, 1.
Mar. 13. Two wit-
nesses.

If any rescue such.

92

Require any that
is convict or in-

to a black mark shall
not know until
at **Fine.** hundred
and ten shillings

The first time six
shillings eight pence.

The second, thir-
teen shillings four
pence.

The third, twenty
shillings and pillory.

Commitment three
months, and further
to be bound to ap-
pear at the Sessions.

Commitment three
months, and to suffer
ten pound.

If he refuse to take
the oath, to be com-
dicted

dicted for not com-
ming to Church, or
hath not received the
Sacrament twice the
yeare past, or any un-
known person passing
through the County,
who being examined
upon oath, confesseth
himself to be a Recu-
sant, to take the oath
of Allegiance, 3. Fa. 4.

Quorum nullus.

93

Require the oath
of Allegiance of any
above 18 yeares under
the degree of a Baron
Jac. 6.

Quorum nullus.

94

Search the house
of any Popish Recu-
sant convict for po-
pish Books and Re-
liques, or whose wife
is a Recusant, con-

mitted until the next
Sessions or Assizes.

If he refuse to take
it, to be committed
without baile untill

Or.

To burrie such
Books and Reliques:
If it be a Crucifix or
Relique of price, it is
to be defaced in the
open Sessions, and
C 3
visit,

36. Justice.

vict, 3. Fac. 5.

95

Such married wo-
man as is a convict
Recusant, 7. Fac. 6.
Quorum unus.

96

To take the submis-
sion of any person re-
conciled to the Bishop
of Rome within six
dayes after his return,
and give him the oath
of Supremacy and Al-
legiance, and certifie
the same to the next
Sessions, 3. Fac. 4.

97

Examine any un-
known person whe-
ther he be a Priest,

Penalty.

then to be restored to
them again.

If she conform not
within 3 months, to
be committed untill,
&c. unless her hus-
band will pay ten
pound monethly, or
the third part of his
lands.

Fourty pound if
they do not certifie
the same at the next
Sessions.

If he refuse to an-
swer directly, he is
to be committed

or a Jesuite, 35. Eliz.

2.

98

Take the oath of Allegiance of such as have charge of Castles, Forts, or Garrisons; or of Captains having guard of soldiers within the Realm, 7. Jac. 6.

Quorum unus.

99

Putting such poore out of their parishes, as are not to be put out, 39. Eliz. 4. 8.

Quorum unus.

Two witnesses or confession.

100

Defaults of Overseers, 43. Eliz. 2. 8.

Quorum unus.

Two witnesses.

C 4

untill, &c.

Fourty pound if they do not certifie the same at the next Sessions.

Five pound, and be bound to the good behaviour.

Twenty shillings for every months neglect; and if they refuse to give an account, commit them.

101 Such

101

Such as run away,
and leave their families upon the parish,
7. Jac. 4. 8.

Such as threaten
to run away, by the
same Statute.

Such a woman as
shal have anybastard-
child, which may be
chargeable to the pa-
rish, by the same Sta-
tute.

102

Make orders for
relief of bastards, and
ease of the parish ;
and for the punish-
ment of the reputed
father and mother, 3
E. 3. 11. 12. 13. or 14.

Quoniam non
doule pot

Incorrigitibesrogues.

To be sent to the
house of correction,
unless they put in se-
curity to discharge
the parish.

First, Bridwell for
a yeare; but it must be
from the privy Sessi-
ons.

Secondly, Bridwel
for a yeare, and be
bound to the good
behaviour not to do
so again.

If they performe
not the order with-
out appeal and bond
given to abide the
order of the next
Sessions, if they shall
there make any, or
else to obey the

It

Justice.

It seemeth the mother may be examined upon oath, *Dale.*
32.

103

Give licence to poore people, which shall travell to Bath and Buxton, 39. *Elis.* 8.

104

Nominate Overseers for the poore yearly, and within one month after Easter, 43. *Elis.* 2. 8.

Quorum unus.

105

Such as disturb the execution of the Statute against rogues, 39. *Elis.* 4.

Quorum unus.

Two witnesses, or confession.

It

Penalty. 39

formcrorder, to commit them till, &c.

They must be born and begotten, out of lawfull matrimony:

Rogues, if they have no licence.

Five pound forfeited by every Justice for his neglect.

Five pound to be levied by distreste, & to be bound to the good behaviour.

106 Offi-

106

Officers remiss in
punishing of Rogues,
39 Eliz. 4. 8.

Quorum unus.

Two witnesses, or
confession.

Ten shillings to be
levied by distress.

107

Such as apprehend
not rogues which beg
at their doores, i.
Jac. 7. 8.

Quorum unus.

Two witness or
confession.

Ten shillings to be
levied by distress, and
if the Constable do
not punish such as be
brought to him, he
forfeitereth twenty
shillings.

108

To heare and determine all causes which
shall come in question upon the Statute of
Rogues, 39. Eliz. 4. 8. *Quorum unus.* Two
witness, or confession, Lamb 331.

109

Such as give wages
contrary to the rates
in Easter Sessions ;
such as hire servants
for lesse then a yeare:

Imprisonment ten
dayes without baile ;
and he that is retain-
ed, one and twenty
dayes, and the cove-

Justice.

but this extendeth to Artificers and Tradesmen, and not to others.

Such as retain servants departed out of any services without shewing a testimoniall of their departure, 5. Eliz. 4. Dalton, 6. 1.

Quorum unus.

110

He that putteth away his servant at the end of his term without a quarters warning.

111

No Artificer or Labourer may depart from the retainer, until his work be finished, if the retainer wil have him so long, pay him his wages, 5. Eliz. 4.

Quorum unus.

Penalty. 41

tenant void, quare how to be convicted.

Five pound to be recovered in the Sessions.

Fourty shillings in quarter-Sessions.

Imprisonment one month, and forfeit 5 pound to the party; who may bring an action of debt for the same, in the Sessions of the peace.

112 If

112 *Imprisonment*

If any servant make
an assault upon his
Master, or such other
as shall have the o-
versight of him, 5.E-
liz.4.

Quorum unus.

Two witnesses, or
confession.

113

Appoint any wo-
man betwec sixteen
and forty years, be-
ing out of service, and
unmarried, to serve by
the yeare, day month,
&c. for such wages as
they thinke fit, 5.Elis.

4.

Quorum unus.

114

Remove the com-
mon selling of Ale
and Beere, and if any
sell without licence,
or after he is prohi-

of Disturbance with
theire Thanes or seruants

Imprisonment one
yeare, or else in their
discretion, or other
punishment as the Ju-
stice in Sessions shall
think fit, except loss
of life or member.

If she refuse to
serve, to be commis-
ted untill, &c.

Commitment for
three dayes, and to
pay twenty shilling
fine, which is to be
set upon him in open
bitt.

blood, sc. 6. bound
Quarantine, day
intended to be
115

Tax the County
within 5 miles of any
Town infected with
the plague, towards
their weekly relief, I.
Jac. 3. L. 8.

116

Officers refusing to
collect such rates
made for the relief of
such persons infected
I. Jac. 3. L. 8.

117

Appoint searchers,
watchman and keep-
ers of persons infec-
ted with the plague,
and swear them, I.
Jac. 3. L. 8.

Sessions, where if
this latter clause must
be upon inquiry.

To be levied by
distress and sale, and
for want of distress,
to be committed un-
till this tax be certifi-
ed at the next quarter
Sessions.

Ten shillings for
every offence.

If any go abroad
after restraint, having
an infectious sore
upon him uncured,
it is felony; if he
have no sore upon
him, he is to be pu-
nished as a vagrant
by 39. Eliz. 4. and

118 If

24. *Justices*

Penalty.

bound to the beha-
viour one whole
yeare, or commit-
ment.

118. *If any refuse to o-
bey the sentence of
an Ecclesiastical Judge
in case of tithes,* 22.
H. 8.7.27. H. 8.20.27.
Eliz. 11.

Commitment un-
till he shall stand to
such order.

119. *Affesse Towns and the hundred, for the le-
vying of money lost in Robberies,* 27. *Eliz. 13.*
Quorum unis.

120. *Appoint what fitter-men shall be for Mar-
ners,* 5. *Eliz. 5.8.*

121. *Punish Rioters,* 13.
H. 4.7.2. H. 5.8.8. H.
6.14.19. H. 7.13.

By indictment.

Fine and impris-
onment.

122. *Such*

122

Such as escape ta-
zations at Subsidies,
A&s of Parliaments,
21. Jac. 9. pag. 22.

123

Bail such prisoners
as are committed for
manslaughter, felony
or suspicion thereof,
1. & 2. Pb. & Mar.

13.

Quoniam manus;

125

loyn with the Bi-
shops Chancellours
in taking accounts of
such as have the col-
lection of money,
and revenues be-
longing to any hos-

Charged double,
and to be punished at
the discretion of the
Justices.

Fined by the In-
stices of gaol-delive-
ry.

124

Bail such as come into prison by proesse of
the Sessions made upon penall Statutes, nor
forbidding bail, Lamb. pag. 348.

By Statute, 2. H. 8.
cap. 1. the Ordinary
may inquire and pu-
nish by censures and
Laws of the holy
Church without any
other to assist him,
pitals,

pitals 14. Eliz. 5. H. 39. Eliz. 18. H.

if it be any hospital
which is not of the
Kings foundation: if
it be, he must have
Commission to in-
quire.

126

Take order for set-
ting on work such
Souldiers or Mariners
as do come from the
seas, if they cannot
get work where they
live, 39. Eliz. 17. 8.

And for want of
work they may tar
the whole hundred
for his relief, until
he cant get work.

127

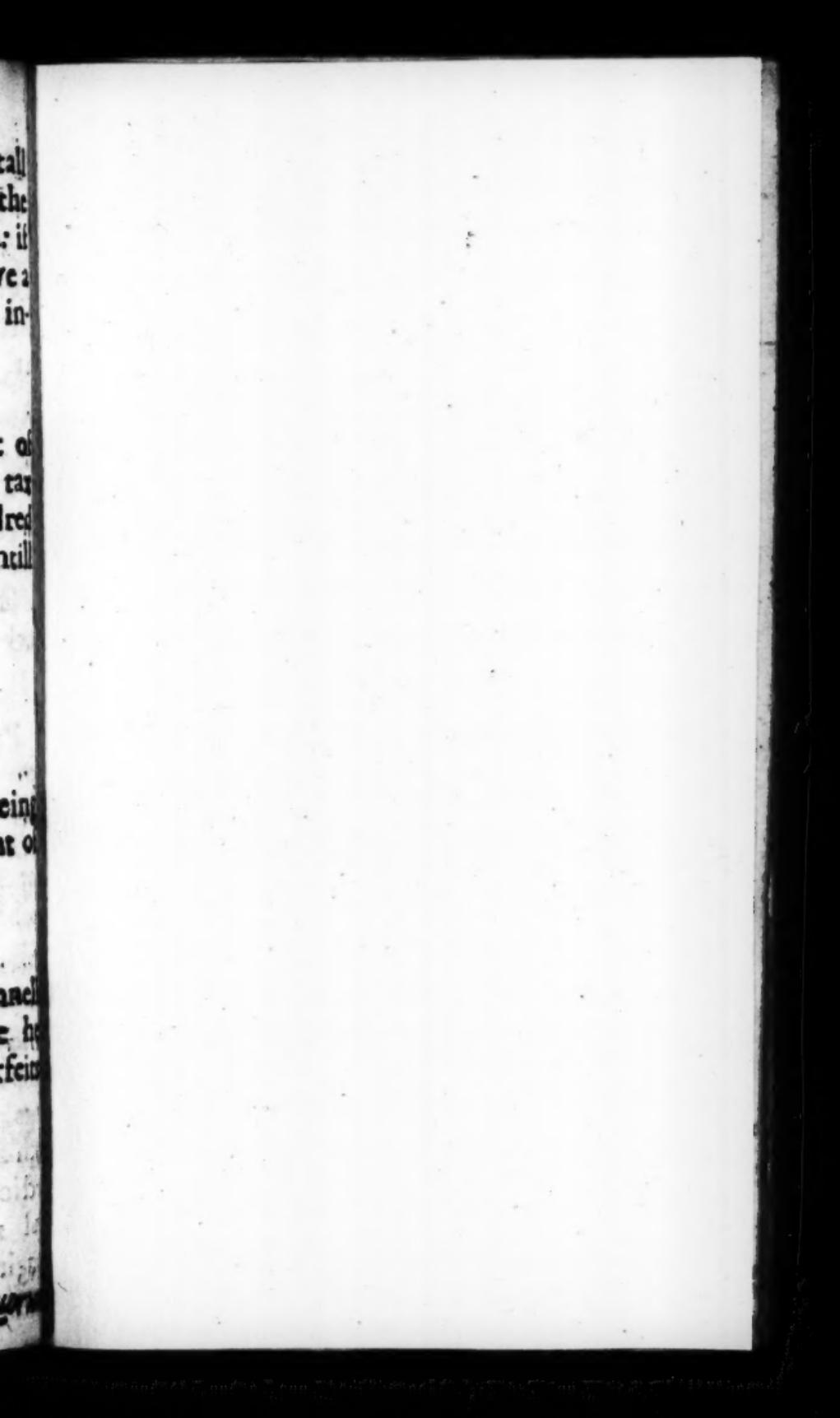
Divide the fourth part of a wood, being
appointed by the Sessions upon complaint of
the Lord, 35. H. 8. 17. 13. Eliz.

128

Overlook Sheriffs
books and amerce-
ments to seal the In-
dennities of his e-
states, being ap-
pointed by the *Custos
Rotulorum*, or the
eldest Justice of the

If he impannel
any Jury before he
be sworn, he forfeit
fourty pound.

Quare



Quorum. 11 H. 5. 3.]]
Quorum unus.]]

129

Swear the under-Sheriffe, and give him
the oath of Supremacy; and the oath for
the execution of his Office, 27. Eliz. 12.
Quorum unus.

130

Burn all such Logwood as they shall find in
any mans custody, 23. Eliz. 9.

131

Pind to the Sessions such as shall get
into their hands any money, or o her
thing, by colour of
any false tokens or
letters in other mens
names. 33 H. 8. 1.
Quorum unus.

Upon conviction
he i. to be set upon
the pillory, or have
any other corporall
pain except death.

132

Convent Bailiffes,
Head Constables,
pon complaint of
Church-wardens,
giving citraces for

Imprison them un
till they have paid
the same.

collecting of fines,
and take account be-
twixt the first of
March, and the last of
April, and compell
them to pay all the
arrerages for the Cō-
stables and Church-
wardens, 2 & 3. Ph.
& M. 8.5. Eliz. 15.

Quorum unus.

133

Assesse fines upon
the Constables if
they appeare not at
the petty Sessions, or
give not account up-
on oath under the Mi-
nisters hand of all
rogues apprehended
in the search; or since
the last Sessions, 7.
Jac: 4. 8. Dalt. 103.

Any fine under
4 shillings.

134

To grant a precept
to the Sheriff with-

Where if the S-
tute be in force,

in ten dayes after the commitment of any one sent to prison for speaking false News contrary to the Statute, 3. E. 3. 84. 2. R 2. 5.

135

He that shall sell or buy any Deer, Hare, Partridge or Pheasant, 1. Jac. 27.

By indictment.

136

Make certificat for an Apprentice, that his Parents may dispend fourty shillings per annum, 5. Eliz. 4.

137

Take information by two witnesses, against such as deprave the Sacrament of the Lords Supper, E. 6. 1. Eliz. 1.

138

Licence Drovers, and Badgers, and

the words are very doubtfull for the continuance.

Twenty shillings

for every one.

Bind over the accusers at the Sessions.

This Licence must be granted in the such

50 Justice.

such as transport corn
and cattle from one
Port to another, 3. E.
6. 14.

Penalty.

quarter-Sessions, by
5 Eliz. 13. except com-
be undervalued, 21.
Jas. 2. 8.

139

Toyn with the Lieutenant or Bishop in li-
cencing of of a confined Recusant to travell a-
bout his businesse, 35. Eliz. 2. 3. Jas. 5.

140

Make taxes for reparation of decayd bridges
32 H. 8. 5. Quorum nullus.

141

Give order for tak-
ing awry armour fro
popish Recusants be-
ing convicted, 3. Ja. 5

This order must be
made in the Sessions.

142

Breaking the heads
of Ponds, Parkes,
Mawks egs, &c. 5. E.
15. 21.

Three mons im-
pris. nment, and be-
haviour.

143

Tracing of Hares,
24. H. 8. 10.

Six shillings eight
pence for every one

144 V. viii

Justice.

Penalty. 23

144.

Usury, 13. Eliz. 8. 27
Eliz. 11. 21, fac.

Treble value and
fine, &c.

145

Forestaling, 9. E. 6
14. 5. Eliz. 2. 13. Eliz.
25.

146

Buying of hides
out of any market,

Six shillings eight
pence for every hide.

D 3

F d.

*Felonies examinable or inquirable
before the Justice of peace by
Statutes.*

147

Extolling of forein
power, *Eliz. I.*

Absolving from
naturall obedience,
23 Eliz. I.

Instrument of re-
conciliation, *13. E-
lis. 2.*

Treasons.

148

Going over Sea to
serve a forein Prince
without taking the
oath, or entring into
bond according to,
3. Jac. 4.

Felony.

149

Embeasing habi-
ments of war or vi-
tuals, *3. E. 4.*

Felony.

150 Con-

150

Conjuring, or
witchcraft, 1. Jac. 212

Buggery with a
beast, 25. H. 6.

151

Receiving Jesuites
and Seminaries, 27.
Elis. 2.

152

Sectaries refusing
to abjure, or return-
ing after it, 35. Elis. 1.
and see of Popish Re-
cusalts, 35. Elis. 2.

153

Multiplication of
gold and silver, 5. H.
4.4.

154

Causing Masons
to congregate in
chapters, 3. H. 6.

No Clergy.

Felony.

Felony.

Felony.

Felony.

D 4

155 De-

155

Departing of Soul-
diers and Mariners,
7. H. 7. 1. 3. H. 8. 5.

No Clergy.

156

Transporting of
Sheep beyond the
Seas, 8, Elif 3.

Felony.

157

Infected ^{with the} plague going abroad,
1. Jas. 13.

Felony.

158

Egyptians, and like
counterfeits, 1. & 2.
Pb. & Ma. 5, Elif 5.

No Clergy.

159

Rogues, wandering
Mariners, and Soul-
diers, 39, Elif 4. & 17.
Jas. 7.

No Clergy.

50 722

4 4

50 Breach

Justice.

Penalty. 55

160

Breach of prison,
fences and escape, 1.
E.3.

161

Purveyors, §. E. 3

1.

162

Grolier compelling
their prisoners, 24.
E.3.10.

163

Cutting out of
tongues, 5.H.4.5.

164

Buggery with man-
kind, 15.H.8.6.

165

Taking away of
women, 3.H.7.2.

166

Carnal knowledge
of an Infant under

Felony.

Snatching a woman
out of bed and robbing
her of her apparel that
she had on her person.

Felony.

8d*x*

Felony.

Going to blood a bo-
y under 14 years of age.

8d*x*

Felony.

In parturition of a
woman, 15.H.8.6.1.
8. killing a woman

No Clergy.

8d*x*

No Clergy.

8d*x*

No Clergy.

ten

56. *Penalty.*
ten years, 18. *Elis. 6.*

Penalty.

167

Marrying a second
wife or husband, the
first living, 1 *Jac. 2. 1.*
Rape, *Westmin. 2. 13. E.*
1. 34.

No Clergy.

168

Burglary, robbing
of a booth or tent,
39. *Elis. 15.*

No Clergy.

169

Burning of houses,
13. *H. 8. 1.* Cutting or
picking of purses, 8.
Elis. 4.

No Clergy.

170

If any Seawatches
have not been made
upon Sea coasts, 5. *H.*
4. 3.

Fine.

171

Rate wages of ser-
vants, &c. 5. *Elis. 4.*

39 *Elis.*

32. *Eliz. 12.1. Fac. 6.*

172

Gaol money, 14
Eliz. 5. 43. Eliz. 2.

173

Take account of
Treasurers for Soul-
diers, 43, *Eliz. 3.*

View under Sheriffs
books by appoint-
ment of *Custos Rotu-
lorum, 11. H. 7. 15.*

174

Refusing to take
the oath of suprema-
cy, 1. *Eliz. 2. 13. Eliz. 2.*

175

Knowing any to be
absolved, and not dis-
closing it within 20
days, 25. *Eliz. 1.*

176 Hearing

176

Hearing of Mass, 23. Eliz. I.

177

False prophecies, 5. Eliz. I.

178

Perjury, 5. Eliz. 9. & 14. Eliz. 11. & de-
bted for a witness.

179

Disturb any Prea-
cher, 1. M. 3.

180

Deprave the Sacra-
ment, 1. Eliz. I.

181

Interrupt any in
saying prayers, or in
administration of the
Sacrament, 23. Eliz. I.

One hundred marks

Ten pound, and one
years imprisonment.Half a years im-
prisonment, and pilloryThree months im-
prisonment and be-
haviour.Imprisonment and
fine.

One hundred marks

182 Fighting

182

Fighting in Church
or Church-yards, 3.
I. 6. 4.

Loose one of his
crews.

183

Robbing houses by
day, 39. Eliz. 1. 5.

Felony.

184

Paveyars, 28. E. 1. 2.

Felony.

185

Hawks, 34. E. 3. 22.

Felony.

186

Servants imbezling
goods above fourty
shillings, 21. H. 7. 5.
Eliz. 1. 10.

Felony.

187

Hunting by night
in Parks or Warrens,
1. H. 7.

Felony.

188

Extortion by Eliz.

Forfeited fourty
shillings,

60 Justice.

Penalty.

cheatours, 23. H.6.

pound.

17.33.H.8.22.

189

Fees for arrests, 23.
H.6.10.

Forfeit 40 pound
and treble damage

190

Fees to return ad-
dition of jurours.

Five marks to the
King, and five to the
party.

191

Gaolers denying
to receive prisoners,
4.8.3.

Ten pound fine

192

Coroner refusing to
do his office.

Fourty shillings

193

Excess of fees, 3.
H.7.1.

194

Clark of the mar-
ket taking fees to
dispense with faults.

Fourty pound,
pound, twenty poun

195 Co

195

Constables and
Churchwardens not
presenting Recusants
3. Jac. 4.

196

Informers, com-
pounding offences
without leave, 18.
Eliz. 5.27. Eliz. 10.

197

Not pursuing hue
and cry, 3. E. 1. 9. West.
& Winch. 13.

198

Negligent escapes
of felons, 1. R. 3. 3.

199

Turours taking
money to present.

200

Liveries, 1. H. 4. 7.
2. H. 4. 22. 8, E. 4. 2.

202

Forfeit feuty shil-
lings.

Ten pound and

pillory.

Fine.

Fine.

Imprisonment
fine, &c. five pound
203 Affir-

to the informer;

202

Affirming not eating of flesh is necessary unto salvation, 5.
Elis. 5.

203

Killing Calves, &c. under two years of age, 24. H. 8. 9. 1. Fac. 32.

203

Transporting of sheep, 8. Elis. 3.

204

Inne keepers, &c. selling flesh in Lent, or upon fish dayes, 5.
Elis. 5.

If any eat flesh, 27.
Elis. 11. 1. Fac. 29. 1. E. 6. 19. 33. Elis. 7.

205

Pewterers selling

Imprisonment:

and a fine of 1000 pounds.

and imprisonment 10. days.

and a fine of 1000 pounds.

and imprisonment 10. days.

and a fine of 1000 pounds.

and imprisonment 10. days.

and a fine of 1000 pounds.

and imprisonment 10. days.

and a fine of 1000 pounds.

and imprisonment 10. days.

and a fine of 1000 pounds.

and imprisonment 10. days.

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and imprisonment 10. days.

and a fine of 1000 pounds.

and imprisonment 10. days.

and a fine of 1000 pounds.

and imprisonment 10. days.

and a fine of 1000 pounds.

brasse or pevter out
of Fairs, Markets or
Shops into any privat
houise, 19. H.7. 6. 4 H.

206

If one deliver goods
to another to keep,
and after the owner
takes them away fe-
lonyfisly, to the in-
tent to recover dam-
ages by detinue,
10. 5. H.7. 18. 13. E.4.
10.

Felony.

307 Such.

207

Such Innes as have been erected since the making of Statute, 5.E.6.23. ought to have licence, and be bound with sureties, as Ale-house-keepers, *Dalt. 26. Cromp. 77.*

208

Common Innes are for travellers, & not for neighbours; (the Latine word *diversorium*, *quasi se diversens a via*, implying so much) and therfore if a neighbour, which is no traveller, at the request of an hostler lodge there, & his goods be stollen, he shall not have an action, &c for the writ is, *ad hospitandum homines trans- euntes, &c. Co. lib. 8, fol. 3 2. in Carey's case.*

209

If any hostler refuse a guest if he may conveniently lodge him, and his house be not full, the guest may have an action upon the case for refusal, *Dyer, 158.* or he may compell him to lodge him, 5.E.4.2. And yet it seemeth that any Inne-keeper may refuse to lodge any one after nine of the clock at night, *Statute 15. E. 1.*

210

If a man come into a Tavern, and will not depart

depart thence again in reasonable time, being required, he doth wrong to the party, 9.E.4.3.

211

If an Inne-keeper suffer any not being travellers to be usually tippling in his house, such an Inne-keeper may be accounted an Alehouse-keeper, and may be bound and committed as an Alehouse keeper, *Stat. 266.*

212

Common hunters of Alehouses Inns or Taverns may be bound to the good behaviour, especially if they have not whereon to live, *Stat. 161. Stat. 18.E.6.2.*

213

The trade of Brewer is an Art or Mystery, *Calib. 8.129.* and none may brew without a licence, or who hath been prentice, *Saint's case.*

214

Sheriffs, Bailiffs, Escheatours, Coroners, and their ministers are bound to serve all process to them directed from Justices of the peace without fees, *Statut. 1.H.4.11. 14. Just. fol. 17. b. Westm. 127. Stat. 23. 2. 6. 10.* alloweth the Sheriff twenty shillings a day, the Bailiff for the arrest four pence, and

66

Other Statutes

and four pence for a bail-bond.

215

But that Statute giveth no new fees to the Sheriffs, but doth curb him that he do not take excessively, where a fee by prescription may be challenged; but he cannot prescribe because his office is annuall, and no office of Inheritance, See 42. E. 3. fol. 4. Brook, title Fees, 18.

216

A Justice of peace was created since the time of memory, and therefore he cannot prescribe for that office, See 34. H. 6. fol. 36. Brook prescription, 36.

217

If any man shall contract Matrimony with a woman under sixtene yeare without consent of her Parents or Guardians, fine and imprisonment, Stat. 4. & 5. Ph. & Mar.

218

If any man which is not able or sufficient to keepe a servant shall retaine a servante, such retainer is royd, Dalton, pag. 63. Fitz. N. 168. b.

219 Retain

219

Retaining of a servant without expressing what term shall be for a yeare, 5. Eliz. 4. Dall. 64.

220

If a servant refuse to do his service, this is a departure in Law, although he continue still with his master, 3. H. 6. fol. 37. Dall. 64. 5. Eliz. 4. Two Justices of peace may commit him.

221

If the Master shall detain from his servant his wages, meat or drink, this is a good cause of departing, Fitz. N. B. 168. Dall. 64.

222

If any retain a servant for fourty dayes, and another retain him for a yeare, the first covenant is void, because it is not according to the Statute, Fitz. N. B. 169. Crampton, 131. b.

223

A woman retained in service doth marry, but she must serve out her covenant, Crampton, 121. Fitz. N. B. 169.

E 3

224 Every

224

Every person which hath not sufficient land to occupy or live upon, or no other Art, is compellable to serve, *Fitz. N.B. 168. Dalton, 6.* for the Law abhorreth idlenesse.

225 *dalton 168. 6. fitz. n.b. 168. b.*

Every Justice of peace may command vagrant persons to prison if they will not serve, *Dalton 63. Fitz. N.B. 168.b.* And this is by the Common law, which the Statute doth not restrain.

226 *dalton 168. 6. fitz. n.b. 168. b.*

No servant may depart from his Master, unless for some cause allowed before a Justice of peace, or that he give quarters warning before two witnesses; if he do, then two Justice may commit him untill he shall serve his Master again, *5. Eliz. 4.*

227 *dalton 168. 6. fitz. n.b. 168. b.*

And if he be legally freed from his Master, yet he cannot depart out of that parish to live as a servant in another, unless he have a testimonial, declaring his lawfull departure, *5. Eliz. 4.*

228 *dalton 168. 6. fitz. n.b. 168. b.*

228 No

228

Nor can he be retained by any other under 5 pound by the retainer, and the servant to be imprisoned untill he procure a testimoniall of his lawfull departure out of that parish, which if he cannot do within 12 dayes, he is to be punished as a vagrant, *5. Eliz. 4.* and the retaining is void.

229

An Apprentice to be bound by virtue of Statute, *5. Eliz. 4.* must be above the age of 10 years and 18. But it seemeth by Statute, *43. Eliz. 2.* that Overseers may bind out to be apprentices any which are burthensome to their parents, though within the age of 10 years, if their parents be not able to maintain them:

230

An apprentice cannot be discharged by his Master, except by writing, *Dallom*, nor bound without deeds; but it seemeth by Statute, *21. Jac. 3. 1.* that any man may assigne over his apprentice unto another.

231

An Infant, or *feme Covert* may commit a force, and may be fined: but it seemeth that

'E 4

such.

such fine set upon the wife shall not be levied upon the husband, *Dalt. 173. Cok. lib. 31: fol. 51.* and also that if a husband

such as he shall find making any force, *Dalt. 42.* but he cannot in any case make restitution without an inquiry by a jury, *Dalt. 42, 44, 45.*

He may take away their weapons, harness
and armour, and presently cause them to be
prised, and after to be answered to the King
forfeited, or to the value of them, *Dalt. 42.*

234

But if such offenders, being in the house at
the coming of the Justice, shall make no resi-
stance, nor make shew of any force, then the
Justice cannot arrest, or remove them, except
the inquiry a force be found, *Dalt. 42.*

235

The Justice ought to make a Record of the
force by him viewed which sha; be a sufficient
conviction of the offenders, and the parties
shall

shall not be allowed to traverse it. And then also he must fine, and that severally, not joyntly; and after entreat the same or else certifie the Record into the Sessions, and there the offenders may be fined; or into the Kings Bench, which is best of all out of that Court, *Dalt.* 42, 43.

235

If upon the inquest such forcible holding be found, then the Justice shall restore the possession of the party outed (but the putting out must of necessity be found, and by expresse words) or else he may make his precept to the Sheriff to do it, or certifie the indictment into the Kings Bench, and leave it to be awarded out of that Court, *Dalt.* 44, 45.

237

A Justice may make restitution notwithstanding any offer of traverse; but yet upon traverse rendered, the safest way for him seemeth to be to deliver or to certifie the presentment in the Kings Bench, and so refer the further proceeding thereon, *Dalt.* 45. See *Stat.* 21. *Jac.*

238

Vpon payment of the said fine to the Justices,

stices, or upon surety found by Recognizance for payment thereof, the Justice may deliver the offenders out of prison again, *Dalton*, 45. *Lamb.* 159. But it is better refet it to the Sessions again.

239

Though the Justice of peace ought to commit, and may fine all such as he shall see concerning the force at his coming to the place, (yet upon force found by inquiry only, and not viewed or seen by the Justice) and although the presentment of the Jury be a conviction of the offenders, yet it seemeth the Justice may neither fine nor sent to the gaol the said offenders by Statute, 8. *H.* 6. which appointed the inquiry: for the Justice hath power by the said Statute only to make restitution, *Dalton*, 45. *Lamb.* 158.

240

If divers come with weapons not usually born by them to an house that is open, or to a ground, and there shall enter peaceably without any disturbance, yet this is a forcible entry: for it shall be intended that they would have used force if they had been resisted, *Dalton*, 167. *Lamb.* 143.

241 To

241

To enter a house, the doore being latched, peaceably, is no force, *Dalt. 169. Lamb. 143.*

242

In case of forcible Entries, Riots, &c. the offence being found upon inquiry, the Justices before whom it is found, have authority to make proces against the offenders under their own teste, and to commit the offenders, untill they have paid the fine, or given surety for it, and to deliver them upon payment of it; and those Justices may receive the traverse of the parties, *Dalt. 127.* But whether these may try the traverse out of the Sessions, it is doubtful *Dalton, 166.*

243

One may commit a force, *Dalton, 166. Lamb. 143.* *Omnes illos dicimus Armatos, qui habent quicunq; nocere possunt, Lamb. 104.*

244

A forcible Entry cannot be judged against a man without an actuall Entry be also made by him, *Dalt. 167. Lamb. 141.*

245 If

245

If a man have a Rent or Common in lands, and he is so forcibly resisted by the Tenant, that he dare neither distrain for the one, nor use the benefit of the other; this is a holding with force, punishable by this Statute, *Lamb. 146.* But this must be understood of the forcible detaining of the possession it selfe, and not of the person; for that is a false imprisonment.

246

Every force punishable by Justices of peace must be either *Manu fortis*, or, *cum mali intendim; manu fortis*, *viz.* with apparent violence in deed or word offered to the person of another, or threatening speeches, or actuall violence, or else that they be furnished with offensive weapons by them not usually worn, *See Dalt. 166.*

247

Any private man may arrest a Felon, and commit him to the common gaol, *20. E. 4. 6. fol 6. Stat. 3. H. 7. cap. 3.*

248

If a Justice of peace hearre of any Rioters, he may either alone or with his servants go

to

to the place, and such as he finds riotously assembled and armed, he may arrest to find surety for their good abearing, and may commit them to prison if they refuse to give it, and take their weapons from them, Lamb. 180.

249

If any Riot, assembly, or rout of people, be made against the Law, the Justices of peace, 3 or 2 of them at least, dwelling most nigh to the place, and the Sheriff or under Sheriff of the County, shall come with the power of the County if need be, & shall arrest them: & they have power to record that which they shall find so done in their presence against the Law, Stat. 13. H. 4.7. And by that Record such offenders shall be committed in manner and form as is contained in the Statute for Entries, w^t. 15. R. 2.2.

250

And if such trespassor be departed from thence before their coming, then those Justices, three or two of them, shall diligently inquire within a month after of such Riot, and thereof shall hear and determine according to the Law of the land. And if the truth may not be found upon inquiry, they are to certify the same

same within a month, upon pain of a hundred pound, Stat. 13 H. 4. cap. 7.

251

All the Kings people which are able, shall be assistant to the Justices and the Sheriffs, being reasonably warned, upon pain of imprisonment and fine, 2. H. 5. 8.

252

Rioters must be arrested while the Riot is in committing, or presently after: for the Justices can make no proces upon their Record, if the Rioters escape, but must send their Record into the Kings Bench, that processe may be there made upon it, Powls. fol. 29. S. 29.

253

If they see the Riot, and the Rioters escape, they must Record it, but they cannot make processe upon their record, neither ought the Record to be kept amongst the Records of the peace, but sent into the Kings Bench, that processe may be there made, Lamb. 13 q.

254

If the Justices, Sheriff, &c. do not go to see

see the Riot, yet may the Justices inquire of it within a month; and they all are to make certificate within a month after, *Lamb. 237.*

255

If two Justices and the Sheriff go to see a Riot, and other two Justices make inquiry, now the one or the other sort of them with the Sheriff or under Sheriff may certify the same, *Lamb. 237.*

256

If the inquiry be within the month, and the Justices do give day to the Jury to yield their verdict after the month, that is good enough, *Lamb. 237.* The Justices in such a case must send for the Sheriff.

Certaine

11

222. *Barbatus*

in hoc signo fons filii odii vana res, deo si filii est
et deo filii erunt. Unus dicitur quod non fons filii
est, sed filii sunt dictione fons filii.

223

non est ergo filius nisi habeat similitudinem.
Hoc est enim quod dicitur deus est similitudinem
filii, non quod dicitur fons filii. Non enim dicitur
deus filius, sed filius deus. Non enim dicitur fons
filii, sed filii sunt dictione fons filii.

224. *Barbatus*

225

non habet filius, dicitur enim quod filius est similitudinem
patris, non quod est filius. Non enim dicitur
filius deus, sed deus filius. Non enim dicitur
fons filii, sed filii sunt dictione fons filii.

225. *Barbatus*

226. *Barbatus*

Decorative border consisting of a repeating diamond pattern.

*Certain Resolutions delivered by the
Judges upon the Statute concern-
ing the Poore and Rogues.*

A Rogue affirmeth he was born in such a Town, in such a County, then he ought to be sent thither; and if he were not borne there, he is said to be an incorrigible Rogue, and is to be sent thence to the house of Correction; and if there be not a house of Correction in those parts, to the Goal, until the next Sessions, there to be dealt withall according to the Statute.

The same course is to be taken if it doth not appear where he was born, or if he untruly affirme that he was last dwelling in such a Town by the space of a year, and was not.

If the husband and wife have a houle, and the husband and wife do rogue abroad, they ought to be sent to that Town where that houle is: and so of an inmate. *Quare for Inmates in some cases are against the Law: I think an Inmate by the appointment of the Justices, 43. Eliz.*

F The wife and children under seven years of age,

age, being vagrant, must go and be placed with the husband; if the husband be dead, then the wife where she was born and dwelt, and the vagrant children above seven years of age must be sent to the place of their birth. And if the vagrant parents with their children under 7 years of age be placed at the place of the birth of the parents, or at the place of their last dwelling (as the case shall fall out) if afterwards the parents or either of them dye or run away, yet the children once settled, must remain there still, and may not be sent to the place of their birth, though afterwards they grow above the age of seven years.

The wife being a vagrant Rogue ought to be sent to the husband, yea though he be but a seruant in another town:

The Rogue whose place of birth or dwelling cannot be known, & hath wife, and children under seven years of age; they must go with the husband to the place where they were last wilfully suffered to passe without punishment, where the children must be relieved by the work of their Parents, though the Parents be committed to the house of correction.

If any not being Rogues shall travell with their children through a town, and their father or mother dye or run away, the town where they dye is not bound to keep them, nor to send them away, but only in charity, except they become wandering Rogues.

If the Parents be able to work, and may have work, they are to find their children by their labours, and not the Parish: But if they be overburdened with children, it shall be a good way to procure some of them to be bound out apprentices.

None is to be put out of the town where he dwelleth, or sent to the place of birth or last dwelling, but only a vagrant rogue. Such are not to be found by the town except they be impotent, but ought to set themselves on work if they be able and can get work: if they cannot, then the overseers must set them to work. And so of them which have or shall have houses when their estates be expired, and servants whose time of service is expired, though they cannot get houses, yet they must provid themselves of houses if they be not impotent.

Such persons as be of any parish, and have able bodies to work, and be no wanderers abroad out of the parish, though they refuse to work at such rates as are taxed or commonly given in those parts, are not to be sent to the place of their birth or last dwelling by the space of a yeare, but to the house of correction.

But if they have any lawful means to live by, though they be of able bodies, and refuse to work, yet they are not to be sent to the house of correction.

82 *Certain Resolutions, &c.*

Such as will remove or put out of their parish those that are not to be put out, do against the Statute of the poore, and are finable, 39. Eliz. 4.

If any be sent to the Town where he ought to be sent, and is refused, being a sturdy and impudent Rogue, the parties refusing and the parties refused is to be offered to the Churchwardens and Overseers:

To send Rogues by a generall passe without conveying them from Parish to Parish, is a let to the conveying of Rogues, and so a forfeiture of five pound, and to go with such a passe, is but still to continue a Rogue to be punished by whipping.

An



An Abstract of all the Statutes in force against Recusants.

THe Statutes against Recusants are,

1 Generall. 2 Speciall.

1 Touching their Confining.

2 Their Discovery.

3 Their Prevention.

Statute 1. E. 6. 12. If any by expresse words or saying shall affirm that the King is not, nor ought not to be Supreme head on earth of the Church of *England*, or that the Bishop of *Rome*, or any other, by the Laws of God ought to be.

For the first offence he loseth all his goods and charels, and to be imprisoned at the Kings pleasure ; if it be affirmed by writing, deed of Act, it is high Treason.

For words none to be impeached, unless he be questioned within thirty dayes, if the accusers be within the Realm ; if they be not, he may be questioned within six months.

Secondly, Stat 1. Eliz. 1. Any man which is promoted to any Spittuall or Temporall Office, other than Offices of Inheritance, and refuseth to take the oath of Supremacy, is not

to have the same Office within the Realm? If any by preaching, words, or acts, or printing, shall advisedly uphold, maintain or defend the Ecclesiastical Jurisdiction of any Prince, Prelate or Potentate, heretofore claimed within this Realm, he forfeiteth all his goods and chattels, and if he be not worth twenty pound, he shall besides be imprisoned one year without bail.

Thirdly, *Stat. 5. Eliz. 1.* If any person shall by writing, printing or teaching, deed or act, advisedly extol, maintain or defend, the Jurisdiction or power of the Bishop of *Rome*; or of his See, heretofore claimed within this Realm; then every such person indicted, or presented within a year after, shall incur a *Premunire*.

School-masters, Sheriffs, &c. and all other persons which shall be admitted to any Ministry or Office, belonging to the Common or any other Law used within this Realm; and all other Officers to any other Court whatsoever, shall before he take such vocation, take his corporall oath upon the holy Euangelists, before he shall be admitted to exercise any such vocation or service, and that in the open Court, whereunto he shall serve and belong; and before such persons shall have authority by common use to admit him to any such vocation or service, and that in the open Court, *viz.* first, the oath of Supremacy, *i. Eliz.* which if he refuse

fuse and be presented within one year, he is within a *Premunire*: And if any refuse, it must be certified into the Kings Bench within fourty dayes, upon pain of an hundred pound.

This Act must be published by the Clerk of the Peace at every quarter Sessions.

F 4. ~~English~~ I. Touching

Act of 1535. 16. July being before the first day of
August. **1. Touching Confining.**

I. Stat. 5. Eliz. 2.

Every Popish Recusant, above sixteen years
of age, shall within fourty dayes after his
conviction repair to his dwelling house, and
shall not remove five miles from thence upon
pain of forfeiture of his goods and land for
life: and if he have no place of abode to the
place of his birth, or place where his father or
mother be living, upon like pain: And if he
be a Copy-holder, he forfeited his Copy-
hold to his Lord, he being no Recusant. And
after his comming thither, he must signifie so
much to the Minister, who with the Con-
stable is to Record the same, and certifie it
to the next Sessions, to be entred by the
Clark of the peace: If such Recusant have
lesse than twenty marks by the yeare, or be
not worth fourty pound in goods, and shall
not repaire to the place of his dwelling, or
birth, or shall not signifie his comming
to the Minister and Constable, or shall passe
above five miles from his dwelling, and
shall not within three months after his
apprehension confine himselfe, and make
submission being required by the Bishop,

or

or any Justice of Peace, or the Minister of the Parish, then two Justices of the peace or Coroner may inquire him to abjure the Realm: And the Justices of Peace must certifie the abjuration at the next Assizes.

If any person suspected to bee a Jesuite, or Seminary, being examined by any person having authoritie in that behalfe, shall refuse to answer directly whether hee bee a Jesuite, Seminary, or Massie-Priest, hee shall bee committed untill hee shall answer directly.

If any person shall make publike submission in the Church, according to the forme set downe in this A&t, then hee shall be free; which submission the Minister must Record, and within ten dayes certifie the Bishop thereof.

T. 1. Fac. 4. A conformed Recusant must take the oath of Supremacie, before the Arch-Bishop or BISHOP of the Diocese; where there is any forfeiture of two parts of any Recusants Lands, that is to goe in satisfaction of twenty pound a moneth.

If any person shall goe or send his child to bee instructed in any Colledge of Jesuites or Popish order, to be instructed in the Popish Religion, hee shall forfeit a hundred pound, and

and the party sent disabled to inherit, purchase, or to be capable of goods by legacy, &c. untill he conform.

If any be permitted to passe the Seas, the Officers of the Ports forfeit their Office and all their goods, the Owner forfeiteth the Ship and all her tackling, and the Master his goods, and be imprisoned 12 months without bail.

If any keep a School, except a publick School or in some Gentlemans house Who is no Recusant, nor licenced by the Bishop, both the School-masters, and he that shall retain him, shall lose each of them 40 shillings monthly.

2. Of Discovery.

I. Stat. 3. Jas. 3.

Every convicted Recusant, which shall after conform and come to the Church, shall once every yeare at the least receive the Sacrament, upon pain of twenty pound the first year, fourty pound the second year, and sixty pound every year following: The Churchwardens and Constables shall once every year present the monthly absence from Church of Popish Recusants, and the names of their children above nine yeares of age; and the names

names of their servants, upon pain of twenty shillings, and upon their indictments, they are to have fourty shillings for every one there-upon indicted, &c.

Iustices of peace may heare and determine all causes for not conming to Church, or not receiving the Sacrament: And also to make Proclamation that such yeeld their bodies to the Sheriff, &c. And if they do not there-upon make their appearance or Record, it is a conviction the King may refuse twenty pound a month, and take two parts of their lands.

Two Iustices of peace (Quo: h: m: un:) may out of the Sessions require any convicted or indicted Recusants under the Nobility, or which shall not have received the Sacrament twice the year past, or any person unknowne passing through the Countrey, that being examined upon oath shall not deny himselfe to be a Recusant, or that hath not received the Sacrament twice the year past to take the oath of Allegiance, and to certifie the same at the next Sessions subscribed by the parties to be recorded by the Clerk of the peace; and if any refuse to take the said oath so tended, he is to be committed by those two Iustices without year Bail, untill the Assizes or Sessions; and if there also refuse to take it, he is in a Pre-munire, except women who are to be committed

mitted until they take it; and the party which taketh the oath must thereunto subscribe his name.

No Indictment can be traversable, but only to the point of non-coming to Church, except the party conform and receive the Sacrament, then he may traverse it.

Every person which shall keep in his house any servant, sojourner or stranger, which shall forbear to go to Church by the space of a month, shall forfeit ten pound monethly: And every person which shall keep in his service Fee or Livery, those that shall not repaire to any Church monethly, shall forfeit ten pound monethly. Justices of peace may heare and determine all offences against this act, except treason.

3. Of Prevention.

i. Stat. 7. Jac. 5.

V **V** **T** Hosoever shall discover to any Iu-
stice of peace, any which shall re-
lieve or retain any lesuite or Popish Priest, or
any Massie to have been said, shall be freed of
the penalties and have the third part of the
forfeit, if it be under one hundred and fifty
pound.

No Popish Recusant convict shall come to
the Court, upon pain of one hundred pound.
And all convicted Recusants which shall for-
bear to come to the Church by the space of
two months, shall within ten dayes after Indi-
ment depart from London, and ten miles
compasse thereof, and deliver up their names
to the Lord Major, &c. or next Iustice of
pace, if it be without the liberty of the City,
upon pain of a hundred pound, except such as
have no dwellings.

Three of the Counsell may licence gene-
rally and upon occasion of busynesse, four Iu-
stices next ad joyning with the assent of the
ishop in writing, or of the Lieutenant, or any
puty Lieutenant under their hands & seals,
in such licences the cause and time how-
nge he is to have to travell must be expressed,
the

the party licenced having first taken his corporall oath that he hath truly informed them of his busynesse, and that he will not make any causeles stayes, and every licence in any other manner is voyd.

No convict Recusant shall practice Law, Physick, &c, or shall bear Office, but be disabled & forfeit an hundred pound: And he that hath a Popish wife Recusant convict, shall not bear office, except he and his children above tenne years of age, come to the Church, and receive the Sacrament.

Every Popish feme convict (her husband notwithstanding, first convict), which shall not conform her self, but shall forbear to repair to some Church to heare divine Service, and within the year receive the Sacrament before the death of her husband, shall lose two part of her dower, and is disabled to be Executrix, and to have any part of her husbands goods.

A convict Recusant is disabled as an excommunicat person, untill he or she conforme to the Church, and take the oath of Allegiance.

Every Recusant convict, which shall be married out of any Church, and not according to the Law by a lawfull Minister, shall not be tenant by the courtesie, and a woman shall not have a Dower or Joynure, or Widows estate, &c. And if any man marry such a woman

shall be forgoode ffor the same or any of his

shal have no land, *ut supra*, he forfeits one hundred pound.

If any popish Recusant not excommunicate be buried otherwise than according to the law his Executors forfeite twenty pound.

A convict Recusant cannot present to any Benefice, nor have wardship of children.

None to sell Popish books, upon pain of 40 shillings for every book.

If any married woman convict, shall not within three months conform, come to the Church, and receive the Sacrament, she shall be committed to prison by two Justices, *Quorum nullus*, untill she conform and receive the Sacrament, unlesse her husband will pay ten pound a month, or the third part of his lands at his free election, for so long time as she is out of prison.

Directions

*Directions to know these markes
following:*

X This noteth the Act expired.

C The Act is upon continuance.

— The Act is punishable in Sessions.



Persons not baylable by Statutes.

1 **S**uch as are outlawed.

2 Such as have abjured the Realm.

3 **A**pprovers.

4 Such as are taken with the manner.

5 Such as break any prison.

6 A thief openly

known or defamed.

7 Such as are appealed by approvers being living.

8 **H**ouse-burners.

9 For false money.

10 Counterfeitors of the Kings seal.

11 Excommunicate persons.

G

12 For

12

For manifest of-
fences.

13

For treason.

14

For murder.

15

Such as are com-
mitted by the Kings
command, or the Ju-
stices of the Ferrest,
westm. 2.15. Anno 3.
E.1.

16

Convicted for gi-
ving Liveries.

17

Abusing Licence to
transport victuals, 1. &
2. P. & Mar. 2.

18

For forestalling.

19

Masters, 4. & 5. P.
& M. 3.

20

Unlawfull games, 31.
H. 8. 9.

21

Servants refusing
to serve, 5. Eliz. 4.

22

Alehouse-keeping
without licence, 5. E.
6. 25.

23

Refusing to obey
orders for bastards,
18. Eliz. 3.

24

Prophecies, 5. Eliz.
15.

25

For witchcraft, 1.
Fac. 12.

26 Perjury,

26

long bows, 33.H.8.9

Perjury, 5.Elis.14.

27

34

Common prayers
1.Elis.2.

28

Transporters of
sheep, 8.Elis.3.

Schoolmasters, 23.
Elis.1.

29

Disturbers of Pre-
achers, 1.Ma.3.

30

Tithes, 27.H.8.10
22.H.8.7.

31

Souldiers selling
harness, 2.E.6.2.

32

Collectours for
bridges, 22.H.8.5.

33

Aliens conveying

36

Eating of flesh, 5.
Elis.5.

37

False weights, 9.H.
5.8.

38

Rebellious assem-
blies, 1.Ma.12.

39

Great Rioters, 2.H.
5.8.

40

Collectours for
Gaol-

98

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41

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lants, 33. Eliz. 2.

42

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25. R. 2. 2.

43

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3. 1.

44

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1. & 2. P. & M.

45

Refusing to contri-
bute to the poore, or
account, 43. Eliz. 11.

46

Touching Log-
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47

Restraint of malt-
ting

48

Destroying Phe-
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27. 49.

49

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for the plague, 1. Fac.
31.

50

Refusing the oath
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4. 7. Fac. 6.

51

Recusant refusing
to declare what ar-
mour he hath, or di-
sturbing the delivery
thereof, 3. Fac. 5.

52

Unlawfull hunting
in inclosed grounds,
3. Fac. 13.

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P. fac. 11.

53
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54
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Crompl. 101. B. Lamb.
347.

55
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ner, Dalt. 272.

56
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274. 25. 21.

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for flanders, Boulton,
de pace, fol. 2. & Fitz-
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writ is *Contra pacem*.

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FINIS.

Ex. Gen. B.
3/31/03